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Filing date: **07/01/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92054028
Party	Defendant Moehn Management
Correspondence Address	MOEHN MANAGEMENT 2961-A HUNTER MILL ROAD, BOX 617 OAKTON, VA 22124 UNITED STATES
Submission	Answer
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Date	07/01/2011
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Deutsche Bank AG)	
)	
Petitioner)	
)	
v.)	Cancellation No. 92054028
)	Registration No. 3928149
Moehn Management Company, Inc.)	Mark: ALPS
)	
)	
Respondent)	

ANSWER

Moehn Management (Respondent) hereby responds to the Petition for Cancellation by Deutsche Bank AG ("Petitioner") as follows:

1. Respondent denies the allegations in paragraph 1.
2. Respondent denies the allegations in paragraph 2.
3. Respondent admits that it managed a student loan program in which Petitioner was involved and that Kevin Moehn signed an agreement between the parties on behalf of Respondent, but otherwise denies the allegations in paragraph 3.
4. Respondent denies that it had contractual obligations to Petitioner with respect to the ALPS mark, and admits the remainder of the allegations in paragraph 4.
5. Respondent admits that the agreement between the parties terminated on April 30, 2011, and otherwise denies the allegations in paragraph 5.
6. Respondent denies the allegations in paragraph 6.
7. Respondent denies the allegations in paragraph 7.
8. Respondent admits the allegations in paragraph 8.
9. Respondent admits the allegations in the first sentence of paragraph 9, and denies the allegations in the second sentence in paragraph 9.
10. Respondent denies the allegations in paragraph 10.
11. Respondent denies the allegations in paragraph 11.

12. Respondent denies the allegations in paragraph 12.
13. Respondent denies the allegations of paragraph 13.
14. Respondent denies the allegations in paragraph 14.
15. Respondent denies the allegations in paragraph 15.
16. Respondent has insufficient information on which to either admit or deny the allegations of paragraph 16, and therefore denies same.
17. Respondent admits that the ALPS mark is inherently distinctive, and denies the allegation of paragraph 17 that Petitioner is the owner of this mark.
18. Respondent denies the allegations in paragraph 18.
19. Respondent denies the allegations in paragraph 19.
20. Respondent denies the allegations in paragraph 20.

Respondent's Affirmative Defenses

1. The Petitioner does not own the ALPS mark.
2. The Petitioner's claim is barred by laches.
3. The Petitioner's claim is barred by acquiescence.
4. The Petitioner's claim is barred by unclean hands.

WHEREFORE, Respondent respectfully requests that this cancellation be denied.

Respectfully Submitted,

Date: July 1, 2011

By: _____

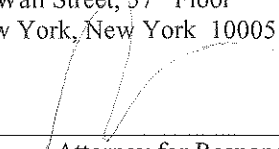
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Attorneys for Respondent

Certificate of Service

This is to certify that a copy of the foregoing was served this 1st day of July 2011 by first-class mail, postage prepaid, on the following as Petitioner's attorney of record:

Catherine S. Gratton, Esq.
Deutsche Bank AG New York
60 Wall Street, 37th Floor
New York, New York 10005

By: 
Attorney for Respondent